

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

NEORA, LLC, SIGNUM BIOSCIENCES,
SIGNUM NUTRALOGIX, and
JEFFREY OLSON,

Defendants.

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Civil Action No. 3:20-cv-01979-M

**DEFENDANTS' OBJECTIONS AND COUNTER-DESIGNATIONS TO PLAINTIFF'S
AMENDED DEPOSITION DESIGNATIONS**

Defendants Neora, LLC and Jeffrey Olson ("Defendants") file these objections and counter-designations to Plaintiff's Amended Deposition Designations (Dkt. 275) as set out below. Where necessary, Defendants designate testimony from those witnesses pursuant to Federal Rule of Civil Procedure 32(a)(6), which provides that "[i]f a party offers in evidence only part of a deposition, an adverse party may require the offeror to introduce other parts that in fairness should be considered with the part introduced, and any party may itself introduce any other parts."

DEFENDANTS' OBJECTIONS TO PLAINTIFF'S DEPOSITION DESIGNATIONS

Deponent	Page:Line	Objection	Cross-Designation
Sandra Davis (10/28/21)			
	16:16-17	Incomplete designation/optional completeness	17:12-25
	20:17-20	Incomplete designation/optional completeness	18:1-3
	22:10-13	Incomplete designation/optional completeness	Errata to 22:13 (misstated as 6:13); alternatively, 21:22-23; 22:3-4
	23:7-18	Incomplete designation/optional completeness	23:2-6
	24:21-22	Legal conclusion	If objection overruled, add 24:23-24; 25:2-3; 25:8-14
	39:9-40:5	Incomplete designation/optional completeness	38:10-19
	44:7-15	Incomplete designation/optional completeness	44:1-6; Errata to 44:10-12; 45:17-24
	55:9-57:21	Incomplete designation/optional completeness	54:19; 55:3-5; 55:7-8; Errata to 56:1; Errata to 56:9; Errata to 56:11-12; Errata to 56:12; Errata to 56:17
	58:11-15	Incomplete designation/optional completeness	58:3-10
	69:25-70:4	Incomplete designation/optional completeness	69:22-24
	70:10-12	Incomplete designation/optional completeness	70:5-9
	71:19-72:8	As to 71:19-21, calls for speculation	
	73:9-23	Incomplete designation/optional completeness	72:17-24; 73:3-8

Deponent	Page:Line	Objection	Cross-Designation
	74:22-75:10	Incomplete designation/optional completeness	72:17-24; 73:3-8
	77:2-12	Incomplete designation/optional completeness	75:24-76:12; 77:13-19
	80:21-81:7	Incomplete designation/optional completeness	81:14-25
	85:9-86:9	As to 85:9-12, calls for speculation	If objection overruled, add 84:14-85:8
	92:6-93:20	Incomplete designation/optional completeness	91:10-13; Errata to 93:17
	106:1-5	Incomplete designation/optional completeness	104:16-105:25
	107:5-16	Incomplete designation/optional completeness	107:17-108:1
	113:25-114:17	Vague and ambiguous; overbroad; incomplete hypothetical	
	120:2-13	Incomplete designation/optional completeness	119:20-25; 120:15-121:11
	123:7-21	As to 123:13, mischaracterizes testimony	If objection overruled, add 56:5-7; 57:2-3; 124:9-12; 124:15-17
	123:25-124:2	Mischaracterizes testimony	If objection overruled, add 56:5-7; 57:2-3; 124:9-12; 124:15-17
	140:13-141:24	Incomplete designation/optional completeness	143:5-10
	148:18-149:6	Calls for speculation; lack of foundation	
	149:17-20	Calls for speculation; lack of foundation	
	164:16-20	Legal conclusion; vague and ambiguous	If objection overruled, add 164:22-165:5

Deponent	Page:Line	Objection	Cross-Designation
	167:22-168:6	Calls for speculation; lack of foundation	If objection overruled, add 168:19-169:5
Deborah Heisz (11/30/21)			
	45:10-46:20	Incomplete designation/optional completeness	43:8-9; 43:21-45:9; 47:21-48:3
	53:18-20	Incomplete designation/optional completeness	52:10-53:17; 53:21-54:8
	54:10-55:9	Vague and ambiguous; overbroad; assumes facts not in evidence Incomplete designation/optional completeness	 Errata at 54:25
	56:22-57:8	Incomplete designation/optional completeness	Errata at 57:3 57:9-15
	62:5-16	Incomplete designation/optional completeness	61:3-62:4; 62:17-20
	64:1-6	Incomplete designation/optional completeness	64:7-11
	69:7-70:12	Incomplete designation/optional completeness	70:13-71:2
	73:1-6	Calls for speculation; witness lacks personal knowledge	If objection overruled, add 72:11-25
	97:10-17	Incomplete designation/optional completeness	96:16-97:9; 97:18-98:3
	98:8-9	Vague and ambiguous; incomplete hypothetical; incomplete designation	If objection overruled, add 98:4-5
	125:20-126:7	Incomplete designation/optional completeness	126:8-10
	132:13-25	Incomplete designation/optional completeness	133:1-13
	140:13-17	Incomplete designation/optional completeness	140:1-13; Errata at 140:11; 140:17-21
	143:13-144:13	Incomplete designation/optional completeness	144:14-16

Deponent	Page:Line	Objection	Cross-Designation
	163:7-12	Incomplete designation/optional completeness	163:5-6; 163:12-17
	169:19-170:2	Incomplete designation/optional completeness	170:3-14
Jeffrey Olson (12/10/2021)			
	23:7-11	Incomplete designation/optional completeness	23:12-20
	29:13-14 and 18-21	Vague and ambiguous; incomplete hypothetical; lacks foundation	If objection overruled, add 29:5-12; Errata at 29:11; 29:21-23
	30:7-10	Vague and ambiguous; incomplete hypothetical; lacks foundation	If objection overruled, add 30:10-14
	30:15-31:4	Incomplete designation/optional completeness	31:12-22
	38:12-15	Incomplete designation/optional completeness	38:21-39:1
	61:17-62:14	Vague and ambiguous	
	62:20-63:10	Incomplete designation/optional completeness	63:13-64:11
	64:17-65:7	As to 64:17-23, incomplete designation/optional completeness	64:12-16 Errata at 64:13 Errata at 64:15
		As to 64:24-65:7, vague and ambiguous	If objection overruled, add 65:11-24
	68:2-15	Vague and ambiguous; overbroad	If objection overruled, add 65:25-68:1
	69:1-19	Vague and ambiguous	If objection overruled, add 70:19-71:9
	69:25-70:6	Vague and ambiguous	If objection overruled, add 70:19-71:9
	70:11-14	Incomplete designation/optional completeness	70:19-71:9

Deponent	Page:Line	Objection	Cross-Designation
	71:21-72:1	Vague and ambiguous	If objection overruled, add 70:15-71:20; 72:1-6
	72:19-73:3	Incomplete designation/optional completeness	73:5-22
	73:23-25	Incomplete designation/optional completeness	73:4-22; 74:1
	74:2-23	Incomplete designation/optional completeness	73:5-22
	75:9-76:5	Vague and ambiguous; overbroad	If objection overruled, add 73:5-22; Errata at 75:20
	79:17-20	Incomplete designation/optional completeness	79:21-80:13
	85:17-86:14	Incomplete designation/optional completeness	85:7; 85:12-15
	98:11-99:20	Vague and ambiguous	
	105:10-24	Incomplete designation/optional completeness	103:24-104:3; 104:24-105:3; 107:17-18
	106:5-10	Incomplete designation/optional completeness	103:24-104:3; 104:24-105:3; 107:17-18
	106:22-107:15	Incomplete designation/optional completeness	103:24-104:3; 104:24-105:3; 107:17-18
	112:4-8	Incomplete designation/optional completeness	112:9-15; 112:18-113:4
	113:6-11	Incomplete designation/optional completeness	112:9-15; 112:18-113:4; 113:12-22
	114:3-13	Incomplete designation/optional completeness	114:14-16; 114:20-23
	114:17-19	Incomplete designation/optional completeness	114:14-16; 114:20-23
	114:24-115:3	Incomplete designation/optional completeness	114:14-16; 114:20-23; 115:3-9 Errata at 115:9

Deponent	Page:Line	Objection	Cross-Designation
	115:10-25	Incomplete designation/optional completeness	114:14-16; 114:20-23; 115:3-9 Errata at 115:9
	117:21-22	Lack of foundation	If objection overruled, add 117:23-24
	119:10-11	Lack of foundation	If objection overruled, add 117:23-24; 118:14-17 119:7-9
	119:13-16	Lack of foundation	If objection overruled, add 117:23-24; 118:14-17 119:7-9
	122:7-123:3	Incomplete designation/optional completeness	122:4-6; Errata at 122:17
	125:14-19	Witness lacks personal knowledge	If objection overruled, add 128:11-19
	126:4-8	Witness lacks personal knowledge	If objection overruled, add 128:11-19
	155:2-5	Incomplete designation/optional completeness	153:23-155:1; 155:6-9; 155:15-23; 158:22-160:24
	162:13-19	Witness lacks personal knowledge; lack of foundation; assumes facts not in evidence	If objection overruled, add 163:23-164:13
	163:9-22	Witness lacks personal knowledge; lack of foundation; assumes facts not in evidence	If objection overruled, add 163:23-164:13
	167:16-23	Incomplete designation/optional completeness	166:25-167:8
	171:6-8	Incomplete designation/optional completeness	171:9-22; 172:7-13
	192:7-25	Calls for speculation	

Deponent	Page:Line	Objection	Cross-Designation
	200:10-25	Vague and ambiguous; overbroad; calls for a legal conclusion; lack of foundation; incomplete hypothetical; assumes facts not in evidence; argumentative; misleading	If objection overruled, add 199:19-200:8
	202:2-203:9	Vague and ambiguous; overbroad; calls for a legal conclusion; lack of foundation; incomplete hypothetical; assumes facts not in evidence; argumentative; misleading	If objection overruled, add 199:19-200:8; 201:2-25; Errata at 202:10
Amber Rourke (12/20/2021)			
	42:3–12	Incomplete designation/optional completeness	41:11–42:2; 42:13–15
	48:25–49:7	Vague and ambiguous	49:8–17
	58:4–21	Incomplete designation/optional completeness	59:8–66:11
	70:11–13	Incomplete designation/optional completeness	70:14–18
	70:19–23	Incomplete designation/optional completeness	70:24–71:3
	71:4–16	Incomplete designation/optional completeness	71:17–72:5
	77:19–78:1	Incomplete designation/optional completeness	Errata at 77:24; 78:2–14
	81:11–21	Incomplete designation/optional completeness	89:13–17; Errata at 89:14
	103:2–5; 103:25–6; 105:2–25	Witness lacks personal knowledge	If objection overruled, add 104:7–16; 106:9–19
	107:1–19	Incomplete designation/optional completeness	107:20–108:11
	110:4–112:12	Incomplete designation/optional completeness	112:13–22
	112:23–113:6	Incomplete designation/optional completeness	113:7–13
	129:1–8	Vague and ambiguous; calls for speculation; witness lacks personal knowledge	

Deponent	Page:Line	Objection	Cross-Designation
	149:25–150:5	Calls for speculation; lacks foundation; witness lacks personal knowledge	
	152:13–19	Incomplete designation/optional completeness	152:19–153:1
	153:2–5	Incomplete designation/optional completeness	153:5-6
	154:9–21	Calls for speculation	
	153:10–155:25	Incomplete designation/optional completeness	156:1–4
	156:17–158:24	Calls for speculation; witness lacks personal knowledge	If objection overruled, add 158:25–160:3
	162:12–163:12	Calls for speculation; witness lacks personal knowledge	
	164:21–25	Incomplete designation/optional completeness	165:1–19
	178:8–9	Calls for speculation	
	180:22–181:11	Calls for speculation	
Neora, LLC – Fed. R. Civ. P. 30(b)(6) (01/11/2022)			
	6:12-7:6	As to 7:1-6, vague and ambiguous; overbroad; irrelevant	
	11:16-21	Incomplete designation/optional completeness	11:21-12:1; Errata at 11:23
	12:8-18	Incomplete designation/optional completeness	12:23-13:11
	17:5-18:13	Vague and ambiguous; calls for speculation	
	20:25-21:6	Incomplete designation/optional completeness	20:13; 20:16-22; 21:6-8
	24:19-27:14	Incomplete designation/optional completeness	40:2-11

Deponent	Page:Line	Objection	Cross-Designation
	35:18-39:22	As to 35:18-37:4, vague and ambiguous; calls for speculation; argumentative; assumes facts not in evidence; overbroad As to 38:19-39:22, incomplete designation/optional completeness	39:23-40:1; Errata at 39:24
	41:4-7	Vague and ambiguous; calls for speculation; no foundation; assumes facts not in evidence	If objection overruled, add 40:12-20; 41:12-18
	45:16-46:7	Vague and ambiguous; calls for speculation; no foundation	If objection overruled, add 44:7-14; 44:25-45:14; Errata at 45:7; 46:22-24; 49:9-13
	46:14-21	Incomplete designation/optional completeness	46:8-9; 46:11-12
	47:23-48:9	Legal conclusion; no foundation; incomplete hypothetical	47:4-21; 49:9-13
	48:15-49:8	Legal conclusion; no foundation; incomplete hypothetical	47:4-21; 49:9-13
	49:19-51:12	Incomplete designation/optional completeness	Errata at 50:19; 51:23-25; 57:12-58:2
	52:2-4	Incomplete designation/optional completeness	51:20; 51:23-52:1
	52:15-54:1	Incomplete designation/optional completeness	51:20; 51:23-52:1 54:2-6; 54:16-57:5; Errata at 56:13; 57:12-58:2
	59:8-9	Incomplete designation/optional completeness	58:16-59:8; 59:9-19 Errata at 59:19
	61:3-7	Incomplete designation/optional completeness	60:18-61:2
	61:16-17	Incomplete designation/optional completeness	60:18-61:2

Deponent	Page:Line	Objection	Cross-Designation
	62:7-24	Incomplete designation/optional completeness	63:3-17
	63:18-23	Incomplete designation/optional completeness	63:3-17
	73:8-10	Vague and ambiguous	If objection overruled, add 73:12-17
	78:15-21	Overbroad	If objection overruled, add 77:7-78:14
	79:10-19	Incomplete designation/optional completeness	79:20-21; 80:5-11; 80:16-23
	79:22-80:4	Incomplete designation/optional completeness	79:20-21; 80:5-11; 80:16-23
	81:23-82:12	Incomplete designation/optional completeness	82:13; 82:16-23; 84:21-23
	82:24-83:20	Incomplete designation/optional completeness	82:13; 82:16-23; 84:21-23
	84:24-85:18	Incomplete designation/optional completeness	85:19-86:7; Errata at 85:21-22
	86:8-14	Overbroad; vague and ambiguous	
	86:21-87:8	Incomplete designation/optional completeness	86:16-20; 88:13-15
	89:12-90:3	As to 90:3, nothing designated As to 89:20-90:2, incomplete designation/optional completeness	90:8-11
	90:7-8	Incomplete designation/optional completeness	90:8-11
	94:3-11	Incomplete designation/optional completeness	93:24-94:2; 94:12-18; Errata at 94:13
	94:19-23	Incomplete designation/optional completeness	94:24-95:6
	95:6-96:8	Incomplete designation/optional completeness	94:24-95:6

Deponent	Page:Line	Objection	Cross-Designation
	98:11-22	Incomplete designation/optional completeness	97:5-15; 98:23-99:4 99:17-23; 100:15-101:8
	99:5-16	As to 99:5-11, incomplete designation/optional completeness	97:5-15; 98:23-99:4 99:17-23; 100:15-101:8
	101:13-102:1	Incomplete designation/optional completeness	102:13-103:9; 104:17-105:1; 106:3-12
	103:10-104:14	Incomplete designation/optional completeness	102:13-103:9; 104:17-105:1; 106:3-12
	106:13-21	Irrelevant	If objection overruled, add 106:22-107:3; 107:6-12
	109:24-110:25	As to reference to deposition exhibit 448, irrelevant	If objection overruled, add 101:13-102:1 102:13-103:9; 106:3-107:3; 107:6-12; 110:25-111:3
		As to 110:20-25, vague and ambiguous	If objection overruled, add 110:25-111:3
	111:18-113:2	Incomplete designation/optional completeness	113:2-20
	116:9-118:2	Incomplete designation/optional completeness	116:5-8
	119:6-10	Vague and ambiguous; overbroad; incomplete hypothetical; calls for speculation	If objection overruled, add 118:25-119:1; 119:3-4
	121:3-7	Overbroad; vague and ambiguous	If objection overruled, add 120:22-23; 121:1
	121:12-24	Incomplete designation/optional completeness	121:9-11; 121:25-122:3

Deponent	Page:Line	Objection	Cross-Designation
	122:7-11	Incomplete designation/optional completeness	121:9-11; 121:25-122:3; 122:12-15
	125:5-12	Incomplete designation/optional completeness	122:24-123:1; 126:18-127:7; 127:9-13; Errata at 127:12-13
	125:18-23	Incomplete designation/optional completeness	122:24-123:1; 126:18-127:7; 127:9-13; Errata at 127:12-13
	126:6-10	Incomplete designation/optional completeness	122:24-123:1; 126:18-127:7; 127:9-13; Errata at 127:12-13
	126:14-17	Incomplete designation/optional completeness	122:24-123:1; 126:18-127:7; 127:9-13; Errata at 127:12-13
	127:15-22	Vague and ambiguous; overbroad	
	128:3-18	Incomplete designation/optional completeness	128:19-129:3; 129:9-11
	129:12-17	Incomplete designation/optional completeness	129:4-11; 130:17-20
	131:1-6	Incomplete designation/optional completeness	131:7-14
	138:13-139:4	Incomplete designation/optional completeness	137:7-138:11; 139:5-140:17; Errata at 139:17
	151:2-10	Incomplete designation/optional completeness	151:21-25
	171:24-172:2	Incomplete designation/optional completeness	171:19-23 172:3-14
	184:5-24	Vague and ambiguous	
	185:15-25	Vague and ambiguous; overbroad; calls for a legal conclusion; lack of foundation; incomplete hypothetical; assumes facts not in evidence; argumentative; misleading	

Deponent	Page:Line	Objection	Cross-Designation
Puya Ghandian (11/12/2021)			
	15:16-25	Incomplete designation/ optional completeness	16:1-8
	17:23-18:13	Incomplete designation/ optional completeness	18:14-16
	19:3-7	Incomplete designation/ optional completeness	18:25-19:2
	24:19-21	Speculation	
	27:6-11	Speculation	
	47:99-48:12	Speculation	
	59:14-25	Incomplete designation/ optional completeness	60:1-3
	72:15-73:14	Incomplete designation/ optional completeness	72:1-14
	91:11-19	Incomplete designation/ optional completeness	91:20-92:11
	97:15-99:7	Speculation as to 99:2-7	
	101:5-103:4	Lack of foundation – testimony not in evidence (Ex. 185); hearsay	
	113:17-115:12	Lack of foundation – testimony not in evidence (Ex. 188), hearsay; incomplete designation/ optional completeness	If objections overruled, add 115:13-17
	115:21-116:25	Calls for legal conclusion; speculation	
	118:3-123:15	Speculation	
	123:24-125:16	Speculation	

In addition to the specific objections set forth above to the FTC's deposition designations, Defendants object to the FTC's failure to include relevant errata. Each of the deponents whose deposition testimony the FTC proposed designations for, with the exception of Mr. Ghandian, timely submitted errata sheets to which the FTC did not object. The FTC attached to its deposition designations copies of the transcripts of the designated depositions, but did not include the errata sheets. Any deposition designations the FTC is permitted to present at trial should include any relevant errata thereto.

**DEFENDANTS' COUNTER-DESIGNATIONS TO
PLAINTIFF'S DEPOSITION DESIGNATIONS OF PUYA GHANDIAN**

Puya Ghandian (11/12/2021)	November 12, 2021	6:16-25; 28:6-30:2; 31:18-32:10; 33:15-34:4; 34:24-36:1; 36:6-23; 37:3-16; 39:19-40:13; 44:19-25; 53:14-23; 54:3-55:23; 71:5-23; 86:17-87:6; 88:20-89:18; 92:12-97:13; 111:8-18; 126:12-127:2; 129:25-130:6; 147:24-150:4; 157:20-158:5; 161:5-165:3; 168:4-11
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Date: October 17, 2022

Respectfully submitted,
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the above and foregoing document has been served on October 17, 2022 on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Craig B. Florence
Craig B. Florence